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ATTORNEYS FOR PLAINTIFF

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEVADA

1ST MEDIA LLC, Plaintiff, v. NAPSTER, INC., REALNETWORKS, INC., KSOLO, INC. and SLEP-TONE ENTERTAINMENT CORPORATION d/b/a SOUND CHOICE ACCOMPANIMENT TRACKS, Defendants.	CIVIL ACTION NO. 2:07-cv-00056-LDG-GWF **PLAINTIFF'S REPLY TO THE COUNTERCLAIMS OF DEFENDANT NAPSTER, INC.** **JURY DEMANDED**

Plaintiff 1ST MEDIA LLC responds to the Counterclaim of Defendant NAPSTER, INC. as follows:

1. The allegations in paragraph 1 are admitted, upon information and belief.

2. The allegations in paragraph 2 are admitted.

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JURISDICTION AND VENUE

3. Plaintiff admits that Defendant purports to bring certain counterclaims under the patent laws of the United States and that this Court has jurisdiction over the alleged counterclaims. Plaintiff denies, however, that such counterclaims have any factual or legal basis.

4. The allegations in paragraph 4 are admitted.

CASE AND CONTROVERSY

5. The allegations in paragraph 5 are admitted.

6. The allegations in paragraph 6 are admitted.

7. The allegations in paragraph 7 are admitted.

COUNT I

DECLARATORY JUDGMENT OF INVALIDITY

8. Plaintiff incorporates its answers to paragraphs 1-7 of Defendant's Counterclaim as.though fully set forth herein.

9. The allegations in paragraph 9 are denied.

COUNT 2

DECLARATORY JUDGMENT OF NON-INFRINGEMENT

10. Plaintiff incorporates its answers to paragraphs 1-9 of Defendant's Counterclaim as though fully set forth herein.

11. The allegations in paragraph 11 are denied.

RESERVATION OF COUNTERCLAIMS

12. Plaintiff admits that Defendant's paragraph 12 purports to reserve the right to assert certain, additional counterclaims should there develop — in Defendant's estimation —

during the course of discovery a basis for such counterclaims. Plaintiff denies, however, that any such basis exists.

Although no answer is required to Defendant's prayer for relief, Plaintiff denies all allegations of subparagraphs A through E and further denies that any relief should be granted to Defendant.

Plaintiff demands a trial by jury on all matters raised by Defendant's Counterclaim and by Plaintiff in its Original Complaint (and any supplements or amendments thereto).

DATED this 7th day of May, 2007.

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ATTORNEYS FOR PLAINTIFF
1ST MEDIA LLC

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I certify that I am an employee of HUTCHISON & STEFFEN LLC, and that on the 7th day of May, 2007, I caused a true and correct copy of the foregoing document entitled: **PLAINTIFF'S REPLY TO THE COUNTERCLAIMS OF DEFENDANT NAPSTER, INC.** to be served upon the following individuals via electronic mail through the United States District Court of Nevada's CM/ECF System:

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